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OLC 73-0380

23 March 1973

MEMORANDUM FOR THE RECORD

SUBJECT: Conversation with Ed Braswell, Chief Counsel, Senate Armed Services Committee, re Church Subcommittee's Request for Appearance of Bill Broe in Open Session

1. I called Ed Braswell this afternoon and reminded him that Bill Broe had responded in writing to the 73 questions submitted by the Church Subcommittee on Multinational Corporations on Agency relations with ITT involving the situation in Chile during 1970. I told Braswell we had now received a subsequent letter from Senator Church of 23 March requesting Broe's appearance, under oath, in public session of the Subcommittee on 28 March. I asked whether he knew of any basis for a Federal employee refusing to respond to a congressional subpoena. He said he did not. I asked his views on invoking executive privilege and he advised against it. He said it was his "hunch" that Broe would have to appear, but he should be provided with instructions not to go outside the agreed context.

2. Braswell said Chairman Stennis was "quite upset" to learn in the press of our "getting mixed up with people like ITT." He said Stennis had asked him whether the Agency ever received unappropriated funds for operational purposes and he had assured Stennis we did not. Braswell wants us to check on this and "be absolutely sure" about the answer.

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JOHN M. MAURY
Legislative Counsel

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